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1 2 3 4 5 6 7 8		ER, INC. 1014 -2403 94-6100 94-6190 n@sjconsumerlaw.c	COM TES DISTRICT CON ISTRICT OF CALIF E DIVISION	
10	JOANNE GRAFF,		Case No. C07-04	4406-HRL
11	voinvie diant,	Plaintiff,	Cuse 110. Co7 o	1100 11112
12	v.	,		N OF COUNSEL IN ENTRY OF DEFAULT
13	ARS NATIONAL SERVICES, INC., D/B/A		AGAINST DEFENDANT, JASON A. HOWERTON	
14 15	ASSOCIATED RECOVED California corporation, and HOWERTON, individually capacity,	RY SYSTEMS, a I JASON A.	[Fed. R. Civ. P. 55(a)]	
16	eupuoity,	Defendants.		
17		2 919110111111111	4	
18	FRED W. SCHWINN, hereby declares under penalty of perjury, pursuant to 28 U.S.C. §			
19	1746, that the following stat	tements are true and	correct:	
20	1. I am a	an attorney and cour	nselor at law, duly adn	nitted to practice before this
21	Court, and the counsel of record for Plaintiff. In my capacity as the counsel of record for Plaintiff,			
22	I have personal knowledge	of the matters stated	in this declaration.	
23	2. I here	by make application	to the Clerk of this Co	ourt for entry of default as to
24	Defendant, JASON A. HOWERTON, pursuant to Rule 55(a), Federal Rules of Civil Procedure, and			
25	in support of this application do show that:			
26	a.	Defendant was per	rsonally served with co	ppies of Plaintiff's Summons
27		and Complaint as	provided by Rule 4(c)(1), Federal Rules of Civil
28		Procedure;	1	
	DECLARATION OF COUNSEL		1 -	Case No. C07-04406-HRL

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1	b.	Upon Plaintiff's information and belief, Defendant, being an			
2		individual with his principal place of business in Escondido,			
3		California, is neither an infant nor an incompetent person requiring			
4		special service in accordance with Rule 4(g), Federal Rules of Civil			
5		Procedure, and is not serving with the armed forces of the United			
6		States entitled to the protection of 50 U.S.C. App. Section 520;			
7	c.	Defendant has neither answered nor otherwise responded formally to			
8		Plaintiffs's Summons and Complaint, and the time to do so, as			
9		provided in Rule 12(a), Federal Rules of Civil Procedure, has			
10		expired;			
11	d.	Copies of this Declaration and the Request for Entry of Default,			
12		seeking entry of default, which are being filed herewith, have this			
13		date been served upon Defendant by regular mail, postage prepaid.			
14	Executed on October 17, 2007, at San Jose, California.				
15		/s/ Fred W. Schwinn			
16		Fred W. Schwinn, Esq. Attorney for Plaintiff			
17		JOANNE GRAFF			
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	DECLARATION OF COUNSEL	- 2 - Case No. C07-04406-HRL			